



# The Birley Academy

## A L.E.A.D. Academy

### Exams Malpractice Policy Academic Year 2025-2026

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## **Introduction**

### **What is malpractice and maladministration?**

'Malpractice' and 'maladministration' are related concepts, the common theme being that they involve a failure to follow the rules of an examination or assessment. This policy and procedure uses the word 'malpractice' to cover both 'malpractice' and 'maladministration' and it means any act, default or practice which is:

- A breach of the Regulations; and/or
- A breach of awarding body requirements regarding how a qualification should be delivered; and/or
- A failure to follow established procedures in relation to a qualification.

Which:

- Gives rise to prejudice to candidates; and/or
- Compromises public confidence in qualifications, and/or compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or
- Damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre [SMPP 1].

### **Candidate malpractice**

'Candidate malpractice' normally involves malpractice by a candidate in connection with any examination or assessment, including the preparation and authentication of any controlled assessments, coursework or non-examination assessments, the presentation of any practical work, the compilation of portfolios of assessment evidence and the completion of any examination.

### **Centre staff malpractice**

'Centre staff malpractice' means malpractice committed by:

- A member of staff, contractor (whether employed under a contract of employment or a contract for services) or a volunteer at a centre; or
- An individual appointed in another capacity by a centre such as an invigilator, a Communication Professional, a Language Modifier, a practical assistant, a prompter, a reader or a scribe.

### **Suspected malpractice**

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice [regardless of how the incident might be categorised, as described in SMPP, section 19.]

### **Purpose of the policy**

To confirm that The Birley Academy: has in place for inspection that must be reviewed and updated annually, a written malpractice policy which covers all qualifications delivered by the centre detailing how candidates are informed and advised to avoid committing malpractice in examinations/assessments, how suspected malpractice issues should be escalated within the centre and reported to the relevant awarding body; it must also acknowledge the use of AI [e.g. what AI is, when it may be used and how it should be acknowledged, the risks of using AI, what AI misuse is and how this will be treated as malpractice].

### **General principles**

In accordance with the regulations Birley Academy will:

- Take all reasonable steps to prevent the occurrence of any malpractice [which includes maladministration] before, during and after assessments have taken place.
- Inform the awarding body immediately of any alleged, suspected or actual incidents of malpractice or maladministration, involving a candidate or a member of staff, by completing the appropriate documentation.
- As required by an awarding body, gather evidence of any instances of alleged or suspected malpractice

[which includes maladministration] in accordance with the current JCQ document Suspected Malpractice - Policies and Procedures and provide such information and advice as the awarding body may reasonably require.

### **Preventing malpractice**

Birley Academy has in place:

Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ document Suspected Malpractice: Policies and Procedures.

- This includes ensuring that staff involved in the delivery of assessments and examinations understand the requirements for conducting these as specified in the following JCQ documents and any further awarding body guidance:
- General Regulations for Approved Centres 2024-25;
- Instructions for conducting examinations [ICE] 2024-2025;
- Instructions for conducting coursework 2024-2025;
- Instructions for conducting non-examination assessments 2024-2025;
- Access Arrangements and Reasonable Adjustments 2024-2025;
- A guide to the special consideration process 2024-2025;
- Suspected Malpractice: Policies and Procedures 2024-2025 [this document];
- Plagiarism in Assessments;
- AI Use in Assessments: Protecting the Integrity of Qualifications;
- Post Results Services June 2024 and November 2024;
- A guide to the awarding bodies' appeals processes 2024-2025

### **Informing and advising candidates how to avoid committing malpractice in examinations/assessments**

Candidates are informed of the risks of committing malpractice in multiple ways. This includes receiving the JCQ Information for Candidates document prior to the public exam series, signage on all exam rooms detailing the risk of disqualification and candidate warnings, a candidate announcement at the start of every exam confirming the rules and regulations the candidates must adhere to. Candidates are also briefed by centre staff at the start of non-exams assessments regarding following exam conditions.

Candidates are also warned by centre staff about the misuse of AI prior to completing internal assessments and how this is treated as malpractice. All staff involved in internal assessments have been provided with the JCQ document 'Teachers and Assessors – AI Use in Assessments: Protecting the Integrity of Qualifications'.

### **AI use in assessments**

AI use refers to the use of AI tools to obtain information and content which might be used in work produced for assessments which lead towards qualifications. While the range of AI tools, and their capabilities, is likely to expand greatly in the near future, misuse of AI tools in relation to qualification assessments at any time constitutes malpractice. Teachers and students should also be aware that AI tools are evolving quickly but there are still limitations to their use, such as producing inaccurate or inappropriate content.

AI chatbots are AI tools which generate text in response to user prompts and questions. Users can ask follow-up questions or ask the chatbot to revise the responses already provided. AI chatbots respond to prompts based upon patterns in the data sets (large language model) upon which they have been trained. They generate responses which are statistically likely to be relevant and appropriate. AI chatbots can complete tasks such as the following:

- Answering questions;
- Analysing, improving, and summarising text;
- Authoring essays, articles, fiction, and non-fiction;
- Writing computer code;
- Translating text from one language to another;

- Generating new ideas, prompts, or suggestions for a given topic or theme;
- Generating text with specific attributes, such as tone, sentiment, or formality.

The use of AI chatbots may pose significant risks if used by students completing qualification assessments. As noted above, they have been developed to produce responses based upon the statistical likelihood of the language selected being an appropriate response and so the responses cannot be relied upon. AI chatbots often produce answers which may seem convincing but contain incorrect or biased information. Some AI chatbots have been identified as providing dangerous and harmful answers to questions and some can also produce fake references to books/ articles by real or fake people.

### **What is AI Misuse**

AI misuse constitutes malpractice as defined in the JCQ Suspected Malpractice: Policies and Procedures [<https://www.jcq.org.uk/exams-office/malpractice/>]. The malpractice sanctions available for the offences of ‘making a false declaration of authenticity’ and ‘plagiarism’ include disqualification and debarment from taking qualifications for a number of years. Students’ marks may also be affected if they have relied on AI to complete an assessment and, as noted above, the attainment that they have demonstrated in relation to the requirements of the qualification does not accurately reflect their own work.

Examples of AI misuse include, but are not limited to, the following:

- Copying or paraphrasing sections of AI-generated content so that the work is no longer the student’s own;
- Copying or paraphrasing whole responses of AI-generated content;
- Using AI to complete parts of the assessment so that the work does not reflect the student’s own work, analysis, evaluation or calculations;
- Failing to acknowledge use of AI tools when they have been used as a source of information •Incomplete or poor acknowledgement of AI tools;
- Submitting work with intentionally incomplete or misleading references or bibliographies.

### **Acknowledging AI Use**

If a student uses an AI tool which provides details of the sources it has used in generating content, these sources must be verified by the student and referenced in their work in the normal way. Where an AI tool does not provide such details, students should ensure that they independently verify the AI-generated content – and then reference the sources they have used.

In addition to the above, where students use AI, they must acknowledge its use and show clearly how they have used it. This allows teachers and assessors to review how AI has been used and whether that use was appropriate in the context of the particular assessment. This is particularly important given that AI-generated content is not subject to the same academic scrutiny as other published sources.

Where AI tools have been used as a source of information, a student’s acknowledgement must show the name of the AI source used and should show the date the content was generated. For example: ChatGPT 3.5 (<https://openai.com/blog/chatgpt/>), 25/01/2024. The student must retain a copy of the question(s) and computer-generated content for reference and authentication purposes, in a non-editable format [such as a screenshot] and provide a brief explanation of how it has been used.

This must be submitted with the work the student submits for assessment, so the teacher/assessor is able to review the work, the AI-generated content and how it has been used. Where this is not submitted, and the teacher/assessor suspects that the student has used AI tools, the teacher/assessor will need to consult the centre’s malpractice policy for appropriate next steps and should take action to assure themselves that the work is the student’s own. Further guidance on ways this could be done are set out in the JCQ Plagiarism in Assessments guidance document.

## **Identification and reporting of malpractice**

### **Escalating suspected malpractice issues**

Once suspected malpractice is identified, any member of staff at the centre can report it using the appropriate channels.

In the first instance all incidents of potential malpractice should be reported to the Exams Officer who will then escalate to the senior leader as appropriate.

### **Reporting suspected malpractice to the awarding body**

- The head of centre will notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice, using the appropriate forms, and will conduct any investigation and gathering of information in accordance with the requirements of the JCQ document Suspected Malpractice: Policies and Procedures.
- The head of centre will ensure that, where a candidate is a child or an adult at risk and is the subject of a malpractice investigation, the candidate's parent/carer/ appropriate adult is kept informed of the progress of the investigation
- Form JCQ/M1 will be used to notify an awarding body of an incident of candidate malpractice. Form JCQ/M2 will be used to notify an awarding body of an incident of suspected staff malpractice/maladministration
- Malpractice by a candidate discovered in a controlled assessment, coursework or non- examination assessment component prior to the candidate signing the declaration of authentication does not need to be reported to the awarding body but will be dealt with in accordance with the centre's internal procedures. The only exception to this is where the awarding body's confidential assessment material has potentially been breached. The breach will be reported to the awarding body immediately
- If, in the view of the investigator, there is sufficient evidence to implicate an individual in malpractice, that individual (the candidate or the member of staff) will be informed of the rights of accused individuals
- Once the information gathering has concluded, the head of centre (or other appointed information gatherer) will submit a written report summarising the information obtained and actions taken to the relevant awarding body, accompanied by the information obtained during the course of their enquiries
- Form JCQ/M1 will be used when reporting candidate cases; for centre staff, form JCQ/M3 will be used;
- The awarding body will decide on the basis of the report, and any supporting documentation, whether there is evidence of malpractice and if any further investigation is required. The head of centre will be informed accordingly

### **Communicating malpractice decisions**

Once a decision has been made, it will be communicated in writing to the head of centre as soon as possible. The head of centre will communicate the decision to the individuals concerned and pass on details of any sanctions and action in cases where this is indicated. The head of centre will also inform the individuals if they have the right to appeal.

### **Appeals against decisions made in cases of malpractice**

Birley Academy will:

- Provide the individual with information on the process and timeframe for submitting an appeal, where relevant;
- Refer to further information and follow the process provided in the JCQ document A guide to the awarding bodies' appeals processes.